

# **DISCLAIMER**

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## **APPLICATION OF**

**KMC TELECOM OF VIRGINIA, INC.**

**CASE NO. PST-2002-00044**

**Application for review and correction  
of assessment of the value of property  
subject to local taxation-Tax Year 2002**

## **HEARING EXAMINER'S RULING**

**March 12, 2003**

On December 6, 2002, KMC Telecom of Virginia ("KMC" or "Company") filed an Application for review and correction of the determination of the value of items of tangible personal property of a telecommunications company for tax year 2002. On February 28, 2003, the Commission issued an Order for Notice and Hearing, which, among other things, ordered the Company to provide public notice of its Application by March 10, 2003. That Order also directed respondents to file notices of participation by March 31, 2003.

On March 7, 2003, KMC, by counsel, filed a Motion to Continue Date for Notice. In support, the Company states that it needs additional time to identify the required public officials and forward the required notice. Company further requests that the date for respondents to file a notice of participation be extended. In a letter filed on March 12, 2003, the Commission Staff stated it does not oppose the extension of dates.

Upon good cause shown, I am of the opinion, and so find, that the Motion to Continue Date for Notice filed by KMC should be granted and the procedural schedule modified. Accordingly,

### **IT IS DIRECTED:**

(1) That the date by which the Company must serve copies of the Commission's Order and its Application on local government officials pursuant to Virginia Code § 8.01-300 is hereby extended to March 24, 2003;

(2) That the date by which the Company must mail copies of the Commission's Order and its Application on commissioners of the revenue or equivalent officials is hereby extended to March 24, 2003;

(3) That the date by which respondents must file notices of participation is hereby extended to April 14, 2003; and

(4) That the remainder of the procedural schedule established in the February 28, 2003, Order for Notice and Hearing shall remain in full force and effect.

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Deborah V. Ellenberg  
Chief Hearing Examiner